‘Tribal DNA of Kurmis 65k years old’: HC accepts writ filed by community

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Jamshedpur : The Jharkhand high court on Monday accepted a writ petition by Aboriginal Kudumi Manch (AKM), which claimed that the Kurmi community was not just tribals in the Indian government notifications in 1913 and 1931, but their DNA matched with the oldest Andaman tribals ‘Onge’ about 65,000 years old.

“The HC bench of Justice Rajesh Kumar accepted the petition by AKM president Dr. Vidya Bhushan Mahato. Advocates of all the opposite parties present in the hearing accepted the notices on behalf of the government and other parties. Hence, the honorable justice posted the petition for hearing on merits with directions to all the parties to file affidavits if they desire,” Akhilesh Srivastava, a senior lawyer representing AKM, told HT on Monday.

This assumes significance in the backdrop of the Kurmi community’s longstanding demand for their inclusion in the scheduled tribe list and the inclusion of the Kurmali language in the eighth schedule of the Constitution. The rail-roko paralysing West Bengal and Jharkhand by Totemick Kurmi Vikas Morcha (TKVM) last year and grand rally in Ranchi in February this year was indicative of their political might as TKVM convener Sheetal Ohdar put it, “Kurmis are decisive in seven Lok Sabha seats and at least 30 assembly seats in Jharkhand.”

Dr Mahato has pleaded in his writ that they were tribals in the government of India’s notifications 550 and 3563 J of 1913 and 1931, but in the President’s notification of 1950, the Kudumis of Chhotanagpur were declared as the most backward caste, considering them as Kurmis of Bihar, which is a violation of Article 342 of the Constitution.

He has further pleaded that the notifications of 1913 and 1931 are irrefutable proof of the tribal status of Kuddumis, which was upheld by the Honorable Supreme Court on March 11, 2022, in civil appeal no. 7117/2019; in the case of Priya Pramod Gajbe vs ‘Government of Maharashtra’.

“Now, there is even genetic evidence of Kudumis being tribals. Renowned geneticist Dnyaneshwar Choubey of Banaras Hindu University (BHU) has examined 180 blood samples of Kudumis and has informed that M31 mutation

was found in the mitochondrial DNA of Kudumis, which is found in the oldest tribal group living in Andaman and Nicobar Islands, the 'Onge,' which proves that Kudumi is also the oldest tribal people of this country and have been living on the Chhotanagpur plateau for the last 65,000 years," Dr VB Mahato stated in his petition.

"When I did not get justice from the government, I went before the Hon'ble Jharkhand high court. There was a mistake in the notification of 1950. We have prayed before the honourable high court to kindly direct the Government of India to correct that mistake and include the Kudumis in the ST list again," Dr Mahato told HT on Monday.

In the writ petition, the petitioner has cited the books of renowned scholars like Dalton, Risley, and Gierson, such as Tribes & Caste of Bengal, Ethnographic Glossary, Census of India, Vol. VII Bihar & Orissa Part I, Report 1, Order of the Hon'ble Patna High Court in Kritibas Mahato vs. Budhan Mahtani, the archaeological and anthropological findings further mentioned in K.S. Singh's book 'People of India - Bihar including Jharkhand'.

"Just as Santal and other tribes in Jharkhand are tribals, Kudmi are also tribals. In the investigation of maternal mitochondrial DNA, haplogroup M and M2 were found concentrated in 93% of the Kudmis of Jharkhand, which shows that they belong to the Hawaiian community and their origin is between 65,000 and 54,000 years before.

He also said that the DNA investigation of the father's side is still going on, the report of which is yet to come," advocate Akhilesh Srivastava told HT after arguing in the HC on Monday.

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